

09-29-03

RCE/1600
PATENT



DOCKET NO.: 3DP-0455

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Barry A. Springer, Michael W.

Confirmation No.: 5579

Pantoliano, and Celia M. Sharp

Application No.: 09/722,495

Group Art Unit: 1647

Filing Date: November 28, 2000

Examiner: C. Saoud

For: Analogs of Human Basic Fibroblast Growth Factor Mutated at one or more of
the Positions Glutamate 89, Aspartate 101 or Leucine 137

10/01/2003 SSESHE1 00000023 233050 09722495
01 FC:1801 750.00 DA
02 FC:1253 520.00 DA

EXPRESS MAIL LABEL NO: EV251841447US
DATE OF DEPOSIT: September 26, 2003

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☐ ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL PURSUANT
TO 37 CFR § 1.114

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the
above-identified application.

1. Submission required under 37 CFR § 1.114

- ☒ Previously submitted
- ☒ Consider the amendment(s)/reply under 37 CFR § 1.116 previously
filed on August 27, 2003. (Any unentered amendment(s) referred to
above will be entered).
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously
filed on .
- ☐ Other: .

- ☐ Enclosed
- ☐ Amendment/Reply under 37 CFR § 1.116
- ☐ Affidavit(s)/Declaration(s)
- ☐ Information Disclosure Statement (IDS)
- ☐ Other:

2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for a period of _____ months. (Period of suspension shall not exceed three (3) months; Fee under 37 CFR §1.17(i) required)

FEE CALCULATION:

| | | | | SMALL ENTITY | | NOT SMALL ENTITY | |
|--|----------------------------------|----------------------------|-------|--------------|-------|------------------|------------|
| <input checked="" type="checkbox"/> RCE BASIC FILING FEE | | | | \$375.00 | \$ | \$750.00 | \$750.00 |
| | CLAIMS REMAINING AFTER RCE | HIGHEST NO. PAID FOR | EXTRA | | | | |
| TOTAL CLAIMS | 33 | 54 (20 MINIMUM) | 0 | \$9 EACH | \$ | \$18 EACH | \$ |
| INDEP. CLAIMS | 2 | 4 (3 MINIMUM) | 0 | \$42 EACH | \$ | \$84 EACH | \$ |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT | | | | \$140 | \$ | \$290 | \$ |
| <input type="checkbox"/> ONE MONTH EXTENSION OF TIME | | | | \$55 | \$ | \$110 | \$ |
| <input type="checkbox"/> TWO MONTH EXTENSION OF TIME | | | | \$205 | \$ | \$410 | \$ |
| <input checked="" type="checkbox"/> THREE MONTH EXTENSION OF TIME | | | | \$465 | \$ | \$930 | \$930 |
| <input type="checkbox"/> FOUR MONTH EXTENSION OF TIME | | | | \$725 | \$ | \$1450 | \$ |
| <input type="checkbox"/> FIVE MONTH EXTENSION OF TIME (May only be taken when filing RCE in lieu of Appeal Brief) | | | | \$985 | \$ | \$1970 | \$ |
| <input checked="" type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID | | | | minus | (\$) | minus | (\$410.00) |
| <input type="checkbox"/> TERMINAL DISCLAIMER | | | | \$55 | \$ | \$110 | \$ |
| TOTAL FEE DUE | | | | | \$ | | \$ 1270.00 |

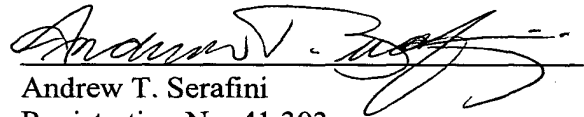
- ☐ A check in the amount of \$ is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☒ Please charge Deposit Account No. 23-3050 in the amount of **\$1270.00**. This sheet is attached in duplicate.
- ☐ A response to the _____ dated _____ was due on _____. Petition is hereby made under 37 CFR § 1.136(a) to extend the time period for response from _____

to and through _____ comprising an extension of the shortened
statutory period of _____ month(s).

- ☒ A Notice of Appeal was filed April 28, 2003. An Appeal Brief is due on June 28, 2003. Applicants are filing this Request for Continued Examination in lieu of this Appeal Brief. Petition is hereby made to extend the time period from June 28, 2003 to and through September 28, 2003 comprising an extension of the shortened statutory period of three (3) months.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050. This sheet is provided in duplicate.
- ☒ The Commission is hereby authorized to charge payment of the above fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: September 26, 2003


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